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(Original Signature of Member)

112TH CONGRESS
2D SESSION

H. R. _____

To amend title XVIII of the Social Security Act to enhance Medicare Advantage program integrity.

IN THE HOUSE OF REPRESENTATIVES

Mr. STARK introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend title XVIII of the Social Security Act to enhance Medicare Advantage program integrity.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Advantage
5 Program Integrity Act of 2012”.

1 **SEC. 2. MEDICARE ADVANTAGE CODING INTENSITY AD-**
2 **JUSTMENT.**

3 Section 1853(a)(1)(C)(ii)(III) of the Social Security
4 Act (42 U.S.C. 1395w-23(a)(1)(C)(ii)(III)) is amended to
5 read as follows:

6 “(III) In calculating each year’s ad-
7 justment, the adjustment factor shall be
8 for 2014, not less than the adjustment fac-
9 tor applied for 2010, plus 1.3 percentage
10 points; for each of years 2015 through
11 2018, not less than the adjustment factor
12 applied for the previous year, plus 0.6 per-
13 centage point; and for 2019 and each sub-
14 sequent year, not less than 7.1 percent.”.

15 **SEC. 3. IMPLEMENTATION OF OFFICE OF INSPECTOR GEN-**
16 **ERAL RECOMMENDATION TO DELAY CERTAIN**
17 **MEDICARE PLAN PREPAYMENTS.**

18 (a) **MEDICARE ADVANTAGE PAYMENTS.**—Section
19 1853(a)(1) of the Social Security Act (42 U.S.C. 1395w-
20 23(a)(1)) is amended—

21 (1) in subparagraph (A), in the matter pre-
22 ceding clause (i)—

23 (A) by striking “subsections (e), (g), (i),
24 and (l)” and inserting “subparagraph (I), sub-
25 sections (e), (g), (i), and (l),”; and

1 (B) by inserting “(or, for months begin-
2 ning with January 2013, on the date specified
3 in subparagraph (I))” after “in advance”; and
4 (2) by adding at the end the following new sub-
5 paragraph:

6 “(I) TIMING OF PAYMENTS.—

7 “(i) IN GENERAL.—With respect to
8 monthly payments under this section for
9 months beginning with January 2013, sub-
10 ject to clause (ii), the date specified in this
11 subparagraph with respect to a payment
12 for—

13 “(I) January is January 2nd;

14 “(II) February is February 15th;

15 “(III) March is March 30th; and

16 “(IV) April or any succeeding
17 month in a year is the 15th day of the
18 2nd succeeding month.

19 “(ii) HOLIDAYS, WEEKENDS, ETC.—

20 If the date otherwise specified in clause (i)
21 is a holiday or weekend, the date specified
22 in this subparagraph shall be the first
23 weekday before such date.”.

24 (b) APPLICATION UNDER PART D.—Section 1860D—
25 15(d)(1) of the Social Security Act (42 U.S.C. 1395w—

1 115(d)(1)) is amended by inserting “and shall be made
2 consistent with the timing of monthly payments to MA
3 organizations under section 1853(a)(1)(I)” after “as the
4 Secretary determines”.